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5th Avenue Photo Inc.,
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I D-Dealz, Inc.,
Mike Bouskila and
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FAMOUS HORSE INC. d/b/a V.I.M.,

Plaintiff,

vs.

**5TH AVENUE PHOTO INC., M&B SUIT WAREHOUSE,
INC, I D-DEALZ, INC., NJ FRENCH KISS, INC.,
FLORENTIN FASHIONS, INC., MIKE BOUSKILA and
MOSHE BOUSKILA,**

Defendants.

Case No. 07-CV-7818

(PAULEY, J.)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the Memorandum of Law, upon the pleadings and all prior proceedings had herein, the defendants The Law Firm Of Jeffrey Dweck, P.C. and Jeffrey Dweck, by The Law Firm Of Jeffrey S. Dweck, P.C. will move this Court, at the United States Courthouse, 500 Pearl Street, Courtroom 11D, New York, New York 10007, before the Honorable William H. Pauley, III on April 18, 2008 at 10:45 a.m. or as soon thereafter as counsel may be heard, for an order dismissing the defendant's Counterclaim pursuant to F.R.C.P. Rule 12(b)(1) and 12(b)(6) for lack of subject matter jurisdiction and failure to state a claim, respectively, and granting such other relief as this Court may deem just and proper.

Dated: New York, New York
February 29, 2008

Respectfully,

A handwritten signature in black ink, appearing to read 'Jeffrey Dweck', is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

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To: Feldman Law Group
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Attention: Kenneth S. Feldman, Esq.